

GAM

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANTHONY J. KELLY, :
Plaintiff, : CIVIL ACTION
v. : No. 14-cv-4317
OFFICER DEMOSS JONES et al., :
Defendants. :

MCHUGH, J.

APRIL 17, 2015

ORDER

This 17th day of April, 2015, after reviewing Defendants' Motion to Dismiss and all accompanying submissions, it is hereby ORDERED that:

- Counts I, II, and IV of the First Amended Complaint are **DISMISSED** as to all Defendants. Malicious Prosecution under Count I will be considered under Count III instead. Plaintiff's Failure to Investigate claim is incorporated into his Malicious Prosecution claim.
- Count III is **DISMISSED** as to Officers John Gretsky and S. Gretsky, but will remain against Officer Demoss Jones.
- Count V is **DISMISSED IN PART**, as it applies to claims arising out of False Arrest. Claims arising out of Malicious Prosecution remain.

FILED
APR 17 2015
MICHAEL E. KUNZ, Clerk
Dep. Clerk

Jan Austin 2015
Gerald Austin McHugh, J.
United States District Judge